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Attorneys for Defendants,  
MACH II AVIATION, INC. & ESCAPE VELOCITY OF TAMPA BAY, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

GOODMAN BALL, INC.,  
Plaintiff,

Case No. 3:07-cv-01148-BZ

**DEFENDANTS' UNOPPOSED MOTION  
TO APPEAR TELEPHONICALLY AT  
NOVEMBER 4, 2009 HEARING**

v.

MACH II AVIATION, INC., and ESCAPE  
VELOCITY OF TAMPA BAY, INC.,

**The Honorable Bernard Zimmerman**

Defendants. \_\_\_\_\_/

**DEFENDANTS' UNOPPOSED MOTION TO APPEAR TELEPHONICALLY AT  
NOVEMBER 4, 2009 HEARING**

Defendants, Mach II Aviation, Inc. ("Mach II") and Escape Velocity of Tampa Bay, Inc.  
("Escape Velocity") (together, "Defendants"), file this Unopposed Motion to Appear  
Telephonically at the November 4, 2009 hearing and state as follows:

1           1.       A hearing on Plaintiff's Motion to Enforce Court's Order and for Attorneys' Fees  
2 is scheduled in this matter for November 4, 2009 at 10:00 a.m. PST.

3           2.       Defendants' lead counsel, John E. Johnson, Esq. and Janelle A. Weber, Esq., are  
4 based in Tampa, Florida. In order to avoid incurring unnecessary attorneys' fees and costs,  
5 Defendants respectfully request that this Court permit Mr. Johnson and Ms. Weber to appear  
6 telephonically at the hearing.

7           3.       On September 29, 2009, counsel for Defendants conferred with counsel for  
8 Plaintiff regarding the relief sought in this Motion. Counsel for Plaintiff does not oppose the  
9 telephonic appearance.

10          WHEREFORE, Defendants, Mach II Aviation, Inc. and Escape Velocity of Tampa Bay,  
11 Inc. respectfully request that this Court grant their Unopposed Motion to Appear Telephonically  
12 at the hearing on Plaintiff's Motion to Enforce Court's Order and for Attorney's Fees scheduled  
13 for November 4, 2009 at 10:00 a.m.

Respectfully submitted,  
SHUTTS & BOWEN LLP

/s/Janelle A. Weber  
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Attorneys for Defendants, Mach II Aviation,  
Inc. and Escape Velocity of Tampa Bay, Inc.

**DECLARATION OF JANELLE A. WEBER**

I, JANELLE A. WEBER, declare as follows:

1. I am an attorney at law duly admitted to practice *pro hac vice* before the United States District Court for the Northern District of California and duly admitted to practice before the courts of the State of Florida and State of New York. I am an attorney of record for Defendants, Mach II Aviation, Inc. and Escape Velocity of Tampa Bay, Inc., in the above-captioned matter.

2. I make this declaration in support of Defendants' Motion to Appear Telephonically at November 4, 2009 Hearing. I have personal knowledge of the matters set forth herein and, if called as a witness, I could and would competently testify thereto.

3. On September 29, 2009, I communicated with Michael Ahmadshahi, Esq., counsel for Plaintiff, regarding the relief sought in Defendants' Motion. Mr. Ahmadshahi stated that he does not oppose Defendants' counsel's telephonic attendance at the hearing.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 30, 2009

/s/ Janelle A. Weber  
Janelle A. Weber

CERTIFICATE OF SERVICE

I, JANELLE A. WEBER, certify under penalty of perjury that the foregoing was served on the interested parties below, via the Court's Electronic Case Filing Program and/or United States Mail on September 30, 2009.

/s/ Janelle A. Weber  
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Attorneys for Plaintiff

TPADOCS 18552501 1

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GOODMAN BALL, INC.,  
Plaintiff,

Case No. 3:07-cv-01148-BZ

**PROPOSED ORDER GRANTING  
DEFENDANTS' UNOPPOSED  
MOTION TO APPEAR  
TELEPHONICALLY**

v.

MACH II AVIATION, INC., and ESCAPE  
VELOCITY OF TAMPA BAY, INC.,

**The Honorable Bernard Zimmerman**

Defendants. \_\_\_\_\_/

**PROPOSED ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION TO  
APPEAR TELEPHONICALLY**

This cause came before the Court on Defendants' Unopposed Motion to Appear Telephonically at November 4, 2009 hearing. Having considered the foregoing motion, the Court hereby grants Defendants' Unopposed Motion to Appear Telephonically at the hearing on Plaintiff's Motion to Enforce Court's Order and for Attorneys' Fees scheduled for November 4, 2009 at 10:00 a.m.

IT IS SO ORDERED.

Date October 8, 2009.

